

FIRST REGULAR SESSION

SENATE BILL NO. 529

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRAY.

Read 1st time February 19, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

2281S.011

AN ACT

To amend chapter 217, RSMo, by adding thereto one new section relating to parole or release of certain offenders.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 217, RSMo, is amended by adding thereto one new
2 section, to be known as section 217.692, to read as follows:

**217.692. 1. Notwithstanding any other provision of law to the
2 contrary, any offender incarcerated in a correctional institution
3 serving any sentence of life with no parole for fifty years or life without
4 parole, and who:**

5 **(1) Pleaded guilty to or was found guilty of a homicide of a
6 spouse or domestic partner;**

7 **(2) Had no prior felony convictions at the time of the plea or
8 finding of guilt for the homicide;**

9 **(3) Has exhausted all appeals in both state and federal court; and**

10 **(4) Has a history of being a victim of domestic violence or has
11 offered credible evidence of innocence that was not fully presented at
12 trial or sentencing;**

13 **shall be eligible for parole after having served fifteen years of such
14 sentence when the board determines, by using the guidelines
15 established by this section, that there is a strong and reasonable
16 probability that the person will not thereafter violate the law.**

17 **2. The board of probation and parole shall give a thorough
18 review of the case history and prison record of any offender described
19 in subsection 1 of this section. At the end of the board's review, the
20 board shall provide the offender with a copy of a detailed statement of
21 reasons for its parole decision.**

22 3. Any offender released under the provisions of this section
23 shall be under the supervision of the parole board for an amount of
24 time to be determined by the board.

25 4. The parole board shall consider, but not be limited to the
26 following criteria when making its parole decision:

27 (1) Length of time served;

28 (2) Prison record and self-rehabilitation efforts;

29 (3) Whether the history of the case included corroborative
30 material of physical, sexual, mental, or emotional abuse of the offender,
31 including but not limited to witness statements, hospital records, social
32 service records, and law enforcement records;

33 (4) If an offer of a plea bargain was made and if so, why the
34 offender rejected or accepted the offer;

35 (5) The offender's continued claim of innocence;

36 (6) The age and maturity of the offender at the time of the
37 board's decision;

38 (7) The age and maturity of the offender at the time of the crime
39 and any contributing influence affecting the offender's judgment;

40 (8) The presence of a workable parole plan; and

41 (9) Community and family support.

42 5. Nothing in this section shall limit the review of any offender's
43 case who is eligible for parole prior to fifteen years, nor shall it limit
44 in any way the parole board's power to grant parole prior to fifteen
45 years.

46 6. Nothing in this section shall limit the review of any offender's
47 case who has applied for executive clemency, nor shall it limit in any
48 way the governor's power to grant clemency.

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